

(1) recognizes the accomplishments and example of César Estrada Chávez, a great hero of the United States;

(2) pledges to promote the legacy of César Estrada Chávez; and

(3) encourages the people of the United States to commemorate the legacy of César Estrada Chávez and to always remember his great rallying cry, “¡Sí, se puede!”, which is Spanish for “Yes, we can!”.

**SENATE RESOLUTION 156—COM-
MENDING THE OFFICERS AND
PERSONNEL OF FEDERAL,
STATE, AND LOCAL AGENCIES
DEPLOYED BY AIR, GROUND,
AND MARINE, AND AS TACTICAL
BORDER SECURITY, FOR THEIR
WORK DURING THE CRISIS AT
THE SOUTHERN BORDER**

Mr. SCOTT of Florida (for himself, Mr. LANKFORD, Mr. CRUZ, Mr. JOHNSON, and Mr. HAWLEY) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 156

Whereas U.S. Customs and Border Protection (referred to in this preamble as “CBP”) is charged with protecting the borders of the United States and facilitating travel and trade;

Whereas President Biden promised a humane approach to immigration but the Biden Administration was woefully unprepared for a surge of migrants from Central America, including a record number of vulnerable, unaccompanied children unlawfully crossing the unsecured United States-Mexico border (referred to in this preamble as the “Southern border”);

Whereas the Southern border is experiencing a humanitarian crisis with unprecedented numbers of vulnerable individuals attempting to unlawfully enter the United States;

Whereas, on March 13, 2021, the Department of Homeland Security directed the Federal Emergency Management Agency to support a government-wide response effort to address the surge of unlawful crossings at the Southern border;

Whereas, in February 2021, 100,441 individuals were apprehended at the Southern border, which is a 28 percent increase from January 2021;

Whereas a total of 458,088 individuals were encountered at the Southern border in fiscal year 2020, which is only 61,130 encounters more than the number recorded in the first half of the current fiscal year;

Whereas, in all of fiscal year 2020, 33,239 unaccompanied minors were encountered at the Southern border, which is only 3,510 encounters more than the number recorded in the first half of the current fiscal year;

Whereas CBP has conducted more than 3,000 daily apprehensions, while still maintaining a posture to secure the border of the Nation and facilitate international trade and travel;

Whereas the immigration policies of President Biden are—

(1) luring hundreds of thousands of migrants to unlawfully cross the Southern border;

(2) leading to an alarming increase in human trafficking and drug smuggling by cartels and transnational criminal organizations; and

(3) putting unaccompanied minors at risk of human trafficking, violence, sexual abuse, and separation from the families of the unaccompanied minors;

Whereas numerous acts of selfless heroism by CBP agents occur on a daily basis, as the agents face dangerous conditions but continue to risk their lives during a global health pandemic to rescue migrants attempting to unlawfully enter the United States along the Southern border;

Whereas the selfless heroism by CBP agents has been on full display as the crisis at the Southern border grows and thousands of aliens attempt to unlawfully enter the United States each day, including recently reported rescues—

(1) in February 2021, of a migrant woman from Mexico abandoned by human smugglers and left to die in a freezing winter storm as they attempted to unlawfully enter Texas;

(2) in March 2021, of a migrant man and a 2-year-old child swept away by a swift current in a canal as they attempted to unlawfully enter Arizona;

(3) in March 2021, of a migrant man who was abandoned by human smugglers unlawfully entering California, remained missing for 8 days, and had to be carried out of the mountainous terrain on the shoulders of a CBP agent; and

(4) in March 2021, of a migrant man in severe distress in a remote desert location who was abandoned by human smugglers attempting to unlawfully enter New Mexico and who required serious medical attention;

Whereas faced with inadequate Federal resources to manage the surge of illegal border crossings, States along the Southern border have installed their own border protection patrols, such as Arizona Border Strike Force and Operation Lone Star in Texas; and

Whereas resources from Federal, State, and local agencies will need to be diverted from other areas to handle the surge of migrants unlawfully entering the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that there is an ongoing and growing crisis on our Southern border; and

(2) commends the men and women of the U.S. Customs and Border Protection, including Border Patrol personnel, Office of Field Operations personnel, Air and Marine Operations personnel, Office of Trade personnel, the Federal Emergency Management Agency, and all support personnel and allies of such agencies from State and local governments for the work of such men and women during the crisis at the Southern border.

**AMENDMENTS SUBMITTED AND
PROPOSED**

SA 1414. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table.

SA 1415. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1416. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1417. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1418. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1419. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1420. Mr. CORNYN submitted an amendment intended to be proposed by him

to the bill S. 937, supra; which was ordered to lie on the table.

SA 1421. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1422. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1423. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1424. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1425. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1426. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1427. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1428. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1429. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1430. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1431. Ms. ERNST (for herself and Mrs. CAPITO) submitted an amendment intended to be proposed by her to the bill S. 937, supra; which was ordered to lie on the table.

SA 1432. Mr. MORAN (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1433. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1434. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1435. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1436. Mr. TUBERVILLE submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1437. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1438. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1439. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1440. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1414. Mr. CRUZ submitted an amendment intended to be proposed by

him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. TASK FORCE ON DISCRIMINATION IN HIGHER EDUCATION OF ASIAN AMERICANS.

The Attorney General, in coordination with the Secretary of Education, shall establish a task force to investigate, and provide proposals for remedies to, discrimination by institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) against Asian Americans in recruitment, applicant review, and admissions.

SA 1415. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. RESTRICTION ON THE RELEASE OF INDIVIDUALS WHO UNLAWFULLY ENTER THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) There was a 71 percent increase in the number of illegal immigrant encounters by U.S. Customs and Border Protection agents between February and March 2021.

(2) In March 2021, more than 172,000 illegal immigrants were intercepted by U.S. Customs and Border Protection agents, including 53,000 illegal immigrants who entered the United States as part of a family group.

(3) Although Federal law requires the Department of Homeland Security to detain, pending the completion of removal proceedings, any alien who is not “clearly and beyond a doubt entitled to be admitted”, as of April 2021, the Department of Homeland Security is releasing many such individuals into communities in Texas and other border States, which has caused a significant strain on such communities and on State and local governments that lack the resources and infrastructure to care for so many individuals.

(b) RESTRICTION.—The Department of Homeland Security may not release any individual who unlawfully entered the United States into any State, county, or city in the United States unless the governor of such State and the governing body of such county and city expressly consent to such release.

(c) CAUSE OF ACTION.—A violation of subsection (b) shall give rise to a cause of action against the Federal Government by a State, county, or city into which jurisdiction such individual was released.

SA 1416. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. PROHIBITION OF FEDERAL FUNDS FOR INSTITUTIONS OF HIGHER EDUCATION THAT DISCRIMINATE AGAINST ASIAN AMERICANS.

Notwithstanding any other provision of law, no institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) may receive any Federal funding if the institution

has a policy in place or engages in a practice that discriminates against Asian Americans in recruitment, applicant review, or admissions.

SA 1417. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. LIMITATION ON RELEASE OF ALIENS DETAINED FOR UNLAWFULLY ENTERING THE UNITED STATES.

(a) IN GENERAL.—The Department of Homeland Security may not release from custody any alien who is detained for unlawfully entering the United States unless such alien tests negative for COVID-19 during the 24-hour period immediately preceding the alien's release.

(b) SAVINGS PROVISION.—Nothing in this Act may be construed to authorize the release any person from the custody of the Department of Homeland Security who is not otherwise authorized by law to be released.

SA 1418. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 3, strike “or disability” and insert “disability, or status as a law enforcement officer or member of the armed forces”.

SA 1419. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. DEATH PENALTY ELIGIBILITY.

Section 3592(c) is amended by inserting after paragraph (16) the following:

“(17) COVID-19 HATE CRIMES.—The defendant committed a COVID-19 hate crime, as defined in section 2 of the COVID-19 Hate Crimes Act.”.

SA 1420. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. INCREASE STATUTORY PENALTIES FOR COVID-19 HATE CRIMES.

Section 249(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) by inserting after paragraph (2) the following:

“(3) OFFENSES INVOLVING COVID-19 HATE CRIMES.—

“(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (4), willfully causes bodily injury to any person or, through the use of fire, a

firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of—

“(i) the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person; and

“(ii) the actual or perceived relationship to the spread of COVID-19 of any person because of the characteristic described in clause (i), shall be fined under this title and imprisoned for not less than 10 years or for life, or, if death results, shall be sentenced to not less than 30 years and not more than life, or may be punished by death.

“(B) CIRCUMSTANCES DESCRIBED.—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

“(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

“(I) across a State line or national border; or

“(II) using a channel, facility, or instrumentality of interstate or foreign commerce;

“(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

“(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

“(iv) the conduct described in subparagraph (A)—

“(I) interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

“(II) otherwise affects interstate or foreign commerce.”; and

(4) in paragraph (4), as so redesignated—

(A) by striking “(1) or in paragraph (2)(A)” and inserting “(1), in paragraph (2)(A)”;

(B) by inserting “, or in paragraph (3)(A) (without regard to whether that conduct occurred in a circumstance described in paragraph (3)(B))” after “paragraph (2)(B))”

SA 1421. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 4. ENHANCED PENALTIES FOR COVID-19 HATE CRIMES.

(a) DEATH PENALTY ELIGIBILITY.—Section 3592(c) is amended by inserting after paragraph (16) the following:

“(17) COVID-19 HATE CRIMES.—The defendant committed a COVID-19 hate crime, as defined in section 2 of the COVID-19 Hate Crimes Act.”.

(b) INCREASE STATUTORY PENALTIES FOR COVID-19 HATE CRIMES.—Section 249(a) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “paragraph (3)” and inserting “paragraph (4)”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(3) by inserting after paragraph (2) the following:

“(3) OFFENSES INVOLVING COVID-19 HATE CRIMES.—

“(A) IN GENERAL.—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (4), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive